



May 25, 2010

Via Electronic Filing

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Re: Ex Parte Notice: CG Docket No. 03-123

Dear Ms. Dortch:

On May 21 and 25, 2010, Thomas Kielty and the undersigned met with Commissioner advisors Christi Shewman, Angela Kronenberg and Jennifer Schneider and with Joel Gurin, Mark Stone, Michael Jacobs, Gregory Hlibok, Diane Mason and Andrew Molitz of the Consumer & Governmental Affairs Bureau. Snap urged the Commission to decline adopting NECA's proposed VRS rates because it does not account for numerous operating costs critical to the provision of VRS.

We discussed our recognition that the Commission is seeking empirical information to set VRS rates which are rationally based on the actual costs incurred by VRS providers. Snap has taken the unprecedented step of publicly disclosing previously confidential operating cost data which shows in detail how its true and complete per-minute costs is significantly higher than the NECA proposed rates. We further offered that the actual costs of providers are currently configured to provide VRS within the existing rates rather than being aligned with accomplishing VRS pursuant to clearly defined functional equivalency standards and other ADA based mandates. We submitted that suggesting different rate figures for an interim period would not be properly founded and akin to "putting the cart before the horse."

Snap looks forward to participating in the forthcoming Commission Notice of Inquiry, which has been described as addressing ADA goals as part of determining the rate methodology. Snap expressed our view, supported by a voluminous record on point, that in the interim, the Commission should ensure no degradation of high quality VRS occurs by, at minimum, maintaining the current rates for Tiers I and II, or by slightly increasing these rates and widening the two tiers to reflect operational cost increases, to account for excluded significant incremental costs of service, to preserve and promote the ability of smaller and emerging providers to compete and offer consumer quality choices, and to allow for provider capacity to continue progressing towards enabling functional equivalency through service and product enhancements.



Snap expressed appreciation for the Commission's commitment to being inclusive of consumers and other stakeholders in its policy and decision making processes and its hard work in addressing complex issues.

Sincerely,

/s/

Jeff Rosen  
General Counsel  
Snap Telecommunications, Inc.  
Snap!VRS  
(845) 652-7107  
jrosen@snapvrs.com

cc: Jennifer Schneider  
Angela Kronenberg  
Christi Shewman  
Joel Gurin  
Mark Stone  
Michael Jacobs  
Gregory Hlibok  
Diane Mason  
Andrew Mulitz